

UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

IN RE:

**Demay International, LLC**  
*Debtor*

§  
§  
§

Case **09-35759**

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**STATEMENT OF ISSUES TO BE PRESENTED ON APPEAL**  
**[Refers to Docket #399]**

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**GSL of ILL, LLC** (“GSL”) files this Statement of Issues to be presented on Appeal pursuant to FRBP 8006 as follows:

- A. Whether the Bankruptcy Court erred in ruling that electrical equipment installed on the real property leased by the Debtor was property of the estate when the Debtor failed to assume the lease.
- B. Whether the Bankruptcy Court erred in ruling that the fixtures on the leasehold were sold by the Debtor.
- C. Whether the Bankruptcy Court erred in ruling that the interest of the mechanic’s lien on fixtures under the lease was not terminated as to the Debtor, when the lease was terminated.
- D. Whether the Bankruptcy Court erred in ruling that McCaffety’s purported mechanics lien has a priority interest over GSL’s lien pursuant to Texas Property Code.
- E. Whether the Bankruptcy Court erred in construing the lease agreement provisions that the Debtor owned fixtures installed on the leasehold premises.
- F. Whether the Bankruptcy Court erred in construing the reservation of rights and establishment of escrow under the Asset Purchase Agreement and Sale.

Dated: June 15, 2010.

Respectfully submitted,

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*/s/Peter Johnson/*

By: \_\_\_\_\_

Peter Johnson SBT 10778400  
**COUNSEL FOR GSL of ILL, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing Designation of Issues was served on the parties required by Local Bankruptcy Rule in this case, including Richard A Simmons on behalf of Creditor McCaffety Electric Company by electronic notice pursuant to the Local Bankruptcy Rules on June 15, 2010.

*/s/Peter Johnson/*

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